

Message

From: Chalfant, Mark [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8C1D644333F94EA2AFF756BE6469E5AD-CHALFANT, MARK]
Sent: 9/8/2015 10:18:40 PM
To: Wilder, Scott [Wilder.Scott@epa.gov]
Subject: FW: CFAC confidentiality agreement

Scott,
I'm tied up in a Libby milestone meeting tomorrow afternoon. Does Thursday morning work for you?
Mark

From: Otis, Andrew D. [mailto:aotis@curtis.com]
Sent: Tuesday, September 08, 2015 4:17 PM
To: Chalfant, Mark; Wilder, Scott
Subject: RE: CFAC confidentiality agreement

Dear Mark,

No problem regarding the postponement of last week's scheduled call. We are available to have a call with you tomorrow afternoon or Thursday morning of this week or early next week. Please let me know what works best for you and your team.

Best regards,

Andrew

From: Chalfant, Mark [mailto:Chalfant.Mark@epa.gov]
Sent: Tuesday, September 08, 2015 1:28 PM
To: Otis, Andrew D.; Wilder, Scott
Subject: RE: CFAC confidentiality agreement

Mr. Otis:

Thank you for getting back to us. I was just literally typing a follow-up email to you. Scott Wilder and I will get back to you shortly on the confidentiality agreement. I apologize for having to cancel last week's call before Mike Cirian left town. Would you like to reschedule our call on the draft administrative settlement agreement before Mike returns or hold off until he is back in the office?

Mark

From: Otis, Andrew D. [mailto:aotis@curtis.com]
Sent: Tuesday, September 08, 2015 11:24 AM
To: Wilder, Scott
Cc: Chalfant, Mark
Subject: RE: CFAC confidentiality agreement

Dear Scott,

Thanks very much for sending us the proposed confidentiality agreement. Attached please find the Agreement in Word form with some comments from CFAC in track changes. Our comments are intended to address two issues:

1. We would like to share in the information with the entity that owns the membership interests of CFAC, thus we have added the ability to share the data with CFAC and its affiliates.
2. We would like the ability to use the past cost information that will be provided under agreement in cost recovery litigation, if applicable.

The document may be subject to further review and comment by my client.

Please feel free to contact me if you have any questions or would like to discuss these proposed changes or this agreement.

Best regards,

Andrew Otis

Andrew D. Otis
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Before printing this e-mail, please consider the impact on the environment.

From: Wilder, Scott [<mailto:Wilder.Scott@epa.gov>]
Sent: Thursday, August 27, 2015 3:00 PM
To: Otis, Andrew D.
Cc: Chalfant, Mark
Subject: CFAC confidentiality agreement

Mr. Otis:

Attached please find the proposed confidentiality agreement that Mr. Chalfant mentioned in his email to you yesterday. Upon receipt of the executed agreement, EPA will return a fully signed copy of the agreement with the cost documentation disk.

Please let me know if you have any questions.

Thank you,

Scott Wilder
CERCLA Technical Enforcement Program
U.S. Environmental Protection Agency, Region 8
Currently located at:
1200 6th Ave. ORC-113
Seattle, WA 98101
tel. (206)553-6693

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Curtis, Mallet-Prevost, Colt & Mosle LLP (101 Park Avenue, New York, NY 10178)
